

RECEIVED
CENTRAL FAX CENTER

OCT 04 2004

Attorney's Docket 098501-0305998
Client Reference: 960018PH/DE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:
PHILIPPE BOUCHARD ET AL.

Confirmation No: 7252

Application No.: 10/661,780

Group Art Unit: 1614

Filed: September 15, 2003

Examiner: TBD

Title: LHRH-ANTAGONISTS IN THE TREATMENT OF FERTILITY DISORDERS

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**CERTIFICATION OF FACSIMILE TRANSMISSION
UNDER 37 C.F.R. §1.8**

I hereby certify that the following papers, consisting of six pages including this cover sheet, are being facsimile transmitted to the Patent and Trademark Office at (703) 872-9306 on the date shown below:

Fee Transmittal
Response to Notice of Incomplete Reply (Nonprovisional) and
Petition for Extension of Time
COPY of Notice

PILLSBURY WINTHROP LLP



THOMAS A. CAWLEY, JR. PH.D.
Reg. No. 40944

Date: October 4, 2004
P.O. Box 10500
McLean, VA 22102
Telephone: (703) 905-2000
Facsimile: (703) 905-2500

(Certification of Facsimile Transmission—page 1)

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004 <i>Effective 10/01/2003. Patent fees are subject to annual revision.</i>		Complete if Known	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number 10/661,780	Filing Date September 15, 2003
TOTAL AMOUNT OF PAYMENT (\$) 1,000.00		First Named Inventor PHILIPPE BOUCHARD	Examiner Name TBD
Attorney Docket No. 098501-0305998		Art Unit 1614	Attorney Docket No. 098501-0305998

METHOD OF PAYMENT (check all that apply) <input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number 033975 Deposit Account Name PILLSBURY WINTHROP LLP				FEE CALCULATION (continued)																																																																																																																																																							
1. BASIC FILING FEE <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1001 770</td> <td>2001 385</td> <td>Utility filing fee</td> <td></td> </tr> <tr> <td>1002 340</td> <td>2002 170</td> <td>Design filing fee</td> <td></td> </tr> <tr> <td>1003 530</td> <td>2003 265</td> <td>Plant filing fee</td> <td></td> </tr> <tr> <td>1004 770</td> <td>2004 385</td> <td>Reissue filing fee</td> <td></td> </tr> <tr> <td>1005 160</td> <td>2005 80</td> <td>Provisional filing fee</td> <td></td> </tr> <tr> <td colspan="3" style="text-align: right;">SUBTOTAL (1) (\$)</td> <td>0.00</td> </tr> </tbody> </table>				Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	1001 770	2001 385	Utility filing fee		1002 340	2002 170	Design filing fee		1003 530	2003 265	Plant filing fee		1004 770	2004 385	Reissue filing fee		1005 160	2005 80	Provisional filing fee		SUBTOTAL (1) (\$)			0.00	3. ADDITIONAL FEES <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1051 130</td> <td>2051 65</td> <td>Surcharge - late filing fee or oam</td> <td>130.00</td> </tr> <tr> <td>1052 60</td> <td>2052 25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>1053 130</td> <td>2053 130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>1812 2,520</td> <td>2812 2,520</td> <td>For filing a request for ex parte reexamination</td> <td></td> </tr> <tr> <td>1804 920</td> <td>2804 920</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>1805 1,840</td> <td>2805 1,840</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>1251 110</td> <td>2251 55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>1252 420</td> <td>2252 210</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>1263 950</td> <td>2253 475</td> <td>Extension for reply within third month</td> <td>870.00</td> </tr> <tr> <td>1254 1,480</td> <td>2254 740</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>1255 2,010</td> <td>2255 1,005</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>1401 330</td> <td>2401 165</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>1402 330</td> <td>2402 165</td> <td>Filing brief in support of an appeal</td> <td></td> </tr> <tr> <td>1403 280</td> <td>2403 145</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>1451 1,510</td> <td>2451 1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>1452 110</td> <td>2452 55</td> <td>Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td>1453 1,330</td> <td>2453 665</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>1501 1,330</td> <td>2501 665</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>1502 480</td> <td>2502 240</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>1503 640</td> <td>2503 320</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>1460 130</td> <td>2460 130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>1807 60</td> <td>2807 50</td> <td>Processing fee under 37 CFR 1.17(q)</td> <td></td> </tr> <tr> <td>1808 180</td> <td>2808 180</td> <td>Submission of Information Disclosure Stmt</td> <td></td> </tr> <tr> <td>8021 40</td> <td>28021 40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>1809 770</td> <td>2809 385</td> <td>Filing a submission after final rejection (37 CFR 1.129(a))</td> <td></td> </tr> <tr> <td>1810 770</td> <td>2810 385</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> <td></td> </tr> <tr> <td>1801 770</td> <td>2801 385</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td>1802 900</td> <td>2802 900</td> <td>Request for expedited examination of a design application</td> <td></td> </tr> <tr> <td colspan="3" style="text-align: right;">SUBTOTAL (2) (\$)</td> <td>0.00</td> </tr> </tbody> </table>				Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	1051 130	2051 65	Surcharge - late filing fee or oam	130.00	1052 60	2052 25	Surcharge - late provisional filing fee or cover sheet		1053 130	2053 130	Non-English specification		1812 2,520	2812 2,520	For filing a request for ex parte reexamination		1804 920	2804 920	Requesting publication of SIR prior to Examiner action		1805 1,840	2805 1,840	Requesting publication of SIR after Examiner action		1251 110	2251 55	Extension for reply within first month		1252 420	2252 210	Extension for reply within second month		1263 950	2253 475	Extension for reply within third month	870.00	1254 1,480	2254 740	Extension for reply within fourth month		1255 2,010	2255 1,005	Extension for reply within fifth month		1401 330	2401 165	Notice of Appeal		1402 330	2402 165	Filing brief in support of an appeal		1403 280	2403 145	Request for oral hearing		1451 1,510	2451 1,510	Petition to institute a public use proceeding		1452 110	2452 55	Petition to revive - unavoidable		1453 1,330	2453 665	Petition to revive - unintentional		1501 1,330	2501 665	Utility issue fee (or reissue)		1502 480	2502 240	Design issue fee		1503 640	2503 320	Plant issue fee		1460 130	2460 130	Petitions to the Commissioner		1807 60	2807 50	Processing fee under 37 CFR 1.17(q)		1808 180	2808 180	Submission of Information Disclosure Stmt		8021 40	28021 40	Recording each patent assignment per property (times number of properties)		1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))		1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))		1801 770	2801 385	Request for Continued Examination (RCE)		1802 900	2802 900	Request for expedited examination of a design application		SUBTOTAL (2) (\$)			0.00
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid																																																																																																																																																								
1001 770	2001 385	Utility filing fee																																																																																																																																																									
1002 340	2002 170	Design filing fee																																																																																																																																																									
1003 530	2003 265	Plant filing fee																																																																																																																																																									
1004 770	2004 385	Reissue filing fee																																																																																																																																																									
1005 160	2005 80	Provisional filing fee																																																																																																																																																									
SUBTOTAL (1) (\$)			0.00																																																																																																																																																								
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid																																																																																																																																																								
1051 130	2051 65	Surcharge - late filing fee or oam	130.00																																																																																																																																																								
1052 60	2052 25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																									
1053 130	2053 130	Non-English specification																																																																																																																																																									
1812 2,520	2812 2,520	For filing a request for ex parte reexamination																																																																																																																																																									
1804 920	2804 920	Requesting publication of SIR prior to Examiner action																																																																																																																																																									
1805 1,840	2805 1,840	Requesting publication of SIR after Examiner action																																																																																																																																																									
1251 110	2251 55	Extension for reply within first month																																																																																																																																																									
1252 420	2252 210	Extension for reply within second month																																																																																																																																																									
1263 950	2253 475	Extension for reply within third month	870.00																																																																																																																																																								
1254 1,480	2254 740	Extension for reply within fourth month																																																																																																																																																									
1255 2,010	2255 1,005	Extension for reply within fifth month																																																																																																																																																									
1401 330	2401 165	Notice of Appeal																																																																																																																																																									
1402 330	2402 165	Filing brief in support of an appeal																																																																																																																																																									
1403 280	2403 145	Request for oral hearing																																																																																																																																																									
1451 1,510	2451 1,510	Petition to institute a public use proceeding																																																																																																																																																									
1452 110	2452 55	Petition to revive - unavoidable																																																																																																																																																									
1453 1,330	2453 665	Petition to revive - unintentional																																																																																																																																																									
1501 1,330	2501 665	Utility issue fee (or reissue)																																																																																																																																																									
1502 480	2502 240	Design issue fee																																																																																																																																																									
1503 640	2503 320	Plant issue fee																																																																																																																																																									
1460 130	2460 130	Petitions to the Commissioner																																																																																																																																																									
1807 60	2807 50	Processing fee under 37 CFR 1.17(q)																																																																																																																																																									
1808 180	2808 180	Submission of Information Disclosure Stmt																																																																																																																																																									
8021 40	28021 40	Recording each patent assignment per property (times number of properties)																																																																																																																																																									
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																									
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																									
1801 770	2801 385	Request for Continued Examination (RCE)																																																																																																																																																									
1802 900	2802 900	Request for expedited examination of a design application																																																																																																																																																									
SUBTOTAL (2) (\$)			0.00																																																																																																																																																								
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1202 18</td> <td>2202 9</td> <td>Claims in excess of 20</td> <td></td> </tr> <tr> <td>1201 88</td> <td>2201 43</td> <td>Independent claims in excess of 3</td> <td></td> </tr> <tr> <td>1203 290</td> <td>2203 145</td> <td>Multiple dependent claims, if not paid</td> <td></td> </tr> <tr> <td>1204 88</td> <td>2204 43</td> <td>Reissue independent claims over original patent</td> <td></td> </tr> <tr> <td>1205 18</td> <td>2205 9</td> <td>Reissue claims in excess of 20 and over original patent</td> <td></td> </tr> <tr> <td colspan="3" style="text-align: right;">SUBTOTAL (2) (\$)</td> <td>0.00</td> </tr> </tbody> </table>				Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	1202 18	2202 9	Claims in excess of 20		1201 88	2201 43	Independent claims in excess of 3		1203 290	2203 145	Multiple dependent claims, if not paid		1204 88	2204 43	Reissue independent claims over original patent		1205 18	2205 9	Reissue claims in excess of 20 and over original patent		SUBTOTAL (2) (\$)			0.00	Other fee (specify) _____ *Reduced by Basic Filing Fee Paid																																																																																																																											
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid																																																																																																																																																								
1202 18	2202 9	Claims in excess of 20																																																																																																																																																									
1201 88	2201 43	Independent claims in excess of 3																																																																																																																																																									
1203 290	2203 145	Multiple dependent claims, if not paid																																																																																																																																																									
1204 88	2204 43	Reissue independent claims over original patent																																																																																																																																																									
1205 18	2205 9	Reissue claims in excess of 20 and over original patent																																																																																																																																																									
SUBTOTAL (2) (\$)			0.00																																																																																																																																																								
SUBTOTAL (3) (\$) 1,000.00				*or number previously paid, if greater. For Reissues, see above																																																																																																																																																							

SUBMITTED BY Name (Print/Type) Thomas A. Cawley, Jr. Ph.D.		Registration No. (Attorney/Agent) 40944		Telephone (703) 905-2144	
Signature 		Date October 4, 2004		(Complete if applicable)	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

BOUCHARD *ET AL.*

Group Art Unit: 1614

RECEIVED
CENTRAL FAX CENTER

Application Serial No.: 10/661,780

Examiner: TBD

OCT 04 2004

Filed: September 15, 2003

Title: LHRH-ANTAGONISTS IN THE TREATMENT OF FERTILITY DISORDERS

**RESPONSE TO NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL) AND
PETITION FOR EXTENSION OF TIME**Mail Stop Missings Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the notice of incomplete reply (nonprovisional) mailed September 16, 2004, the applicants respectfully submit the following:

The response to the notice to file missing parts of nonprovisional application mailed May 26, 2004 was timely submitted to the USPTO on August 26, 2004 with the following documents: fee transmittal; response with COPY of notice; one sheet of drawing; the requisite fee of \$898.00. This fee included a one-month extension of time fee, but did not include the \$130.00 fee for late filing of the filing fee (declaration provided when application was filed; see copy of stamped receipt attached hereto). This requisite fee of \$130.00 is hereby authorized by the attached fee transmittal.

The applicants request a petition for an extension of time to file in the third month. See attached fee transmittal in order to charge \$1,000.00 (\$110.00 previously paid).

Respectfully submitted,

PILLSBURY WINTHROP LLP

By: 

Thomas A. Cawley, Jr., Ph.D.

Registration No.: 40,944

Direct Telephone No.: 703-905-2144

October 4, 2004
TAC/PAJ/wks
P.O. Box - 10500
McLean, VA 22102General Telephone No.: 703-905-2000
General Facsimile No.: 703-905-2500
30475336v1



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/661.780	09/15/2003	Philippe Bouchard	098501-0305998

00909
PILLSBURY WINTHROP, LLP
P.O. BOX 10500
MCLEAN, VA 22102

CONFIRMATION NO. 7252

FORMALITIES LETTER



OC000000013819735

Date Mailed: 09/16/2004

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 08/26/2004 to the Notice to File Missing Parts (Notice) mailed 05/26/2004 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application. Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- Late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 was not received.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 508-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

COPY

PAT-103 5/02 PTO RECEIPT FOR INDICATED ITEMS
 Appl. No: NEW CONTINUATION APPLICATION
 Inventor(s): BOUCHARD et al.
 Title: LHRH-ANTAGONISTS IN THE TREATMENT

Atty TAC
 Date 09/15/03
 C# 98501
 M# 305998

ENCLOSED:

☐ Amendment ☐ Appendix ☐ Cover sheet

1 No. of Pages Abstract# 15 No. of Pages Spec and Claims# 21 No. of numbered Claims only☒ Declaration (2 #pgs)☐ Assignment ☐ Cover Sheet# No. of Priority Documents# 1 No. Sheets Drawings (Fig(s) 1 to 1) ☒ 1 set Formal☐ IDS Letter ☐ cited Appl(s) ☐ Foreign sch rept/OA☐ PTO-1449 ☐ cited docs.\$ 0.00 To be charged to Dep. Acct. No. 03-3975

Other:

CURRENT DUE DATE: September 15, 2003

PAT-103 5/02 PTO RECEIPT FOR INDICATED ITEMS
 Appl. No: NEW CONTINUATION APPLICATION
 Inventor(s): BOUCHARD et al.
 Title: LHRH-ANTAGONISTS IN THE TREATMENT

Atty TAC
 Date 09/15/03
 C# 98501
 M# 305998

ENCLOSED:

☐ Amendment ☐ Appendix ☐ Cover sheet

1 No. of Pages Abstract# 15 No. of Pages Spec and Claims# 21 No. of numbered Claims only☒ Declaration (2 #pgs)☐ Assignment ☐ Cover Sheet# No. of Priority Documents# 1 No. Sheets Drawings (Fig(s) 1 to 1) ☒ 1 set Formal☐ IDS Letter ☐ cited Appl(s) ☐ Foreign sch rept/OA☐ PTO-1449 ☐ cited docs.\$ 0.00 To be charged to Dep. Acct. No. 03-3975

Other:

CURRENT DUE DATE: September 15, 2003

22541 U.S. PTO
 10/661780
 09/15/03